

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)

V.)

MICHAEL GOLDSTEIN)

M.B.D. No.)

05 MBD 10339

ASSENTED-TO MOTION TO EXCLUDE TIME

On August 8, 2005, U.S. Magistrate Judge Dein issued a criminal complaint in the matter of United States v. Michael Goldstein, Cr. No. 05-MJ-01091-JGD, which charges the defendant with violation of 18 U.S.C. §2423(b). The parties subsequently began good faith discussions regarding resolution of the case by agreement rather than by indictment and accordingly moved the Court to continue the probable cause hearing from August 25 to September 26, 2005, which the court allowed on August 24, 2005. The government now moves, with the defendant's assent, that this Court find, under 18 U.S.C. §3161(h)(8)(A), and §5(c)(1)(A) of the Plan for Prompt Disposition of Criminal Cases of this Court, that the ends of justice served by the continuance granted by Judge Dein outweigh the best interests of the public and the defendant in a speedy trial, and, accordingly, exclude the period of the continuance for purposes of computing the time within which an information or an indictment must be filed under 18 U.S.C. §3161(b).

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:

A handwritten signature in black ink, appearing to read "D. Cabell", written over a horizontal line.

DONALD L. CABELL
Assistant U.S. Attorney
(617) 748-3105

September 21, 2005